

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SARVINT TECHNOLOGIES,
INC.,

Plaintiff,

v.

OMGSIGNAL, INC.,

Defendant.

CIVIL ACTION FILE

NUMBER 1:15-cv-70-TCB

SARVINT TECHNOLOGIES,
INC.,

Plaintiff,

v.

SENSORIA, INC.,

Defendant.

CIVIL ACTION FILE

NUMBER 1:15-cv-72-TCB

ORDER

Having reviewed the parties' *Markman* briefs in these related actions for patent infringement, the Court finds that the issues related to claim construction are complicated, technical, and appropriate for specialized review and that appointment of a special master will

expedite resolution of claim construction. Consequently, the Court hereby appoints Mr. Sumner C. Rosenberg as special master in both cases. Mr. Rosenberg shall proceed with all reasonable diligence to review the parties' filings, preside over a single consolidated *Markman* hearing, and submit a report and recommendation ("R&R") on claim construction to the Court for filing in both cases. The scheduling and manner of presentation of evidence at the *Markman* hearing shall be determined by Mr. Rosenberg after consultation with counsel for the parties. The timelines provided for in Rule 53(f) of the Federal Rules of Civil Procedure shall govern the Court's review of Mr. Rosenberg's R&R.

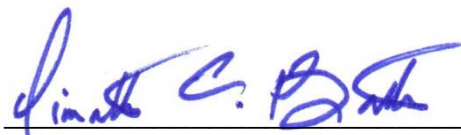
Ex parte communications between Mr. Rosenberg and the parties or the Court shall be limited to administrative and scheduling matters only. Any supplemental briefing, exhibits, or other materials provided to Mr. Rosenberg by any party shall be filed on the dockets and preserved as part of the official Court records. To facilitate Mr. Rosenberg's review of the case files, the Court authorizes that he be provided with access to the filings of these cases through this Court's

case management and electronic case filing system (CM/ECF). He shall be given access to all filings, including sealed items. The Clerk is directed to provide Mr. Rosenberg with the requisite account and password without charge. Such access is granted for Mr. Rosenberg's use solely in his capacity as special master in these two cases.

Mr. Rosenberg shall be compensated at the rate of \$500 per hour. Unless the parties agree otherwise, each party shall be responsible for one-third of Mr. Rosenberg's fees and any other expenses he incurs related to his duties as special master. Mr. Rosenberg shall bill the parties directly, and he and counsel may consult on how to handle billing for his services and expenses. Mr. Rosenberg shall email to the Court copies of all invoices provided to the parties.

Finally, the Clerk is directed to include Mr. Rosenberg on the docket of each case and provide notification of all filings and Court orders to him.

IT IS SO ORDERED this 5th day of July, 2016.

A handwritten signature in blue ink, appearing to read "Timothy C. Batten, Sr.", is written over a horizontal line.

Timothy C. Batten, Sr.
United States District Judge